

Bill - Shelf

I

96TH CONGRESS  
2D SESSION

# H. R. 6410

To reduce paperwork and enhance the economy and efficiency of the Government and the private sector by improving Federal information policymaking, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 5, 1980

Mr. BROOKS (for himself, Mr. HORTON, Mr. PREYER, and Mr. STEED) introduced the following bill; which was referred to the Committee on Government Operations

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## A BILL

To reduce paperwork and enhance the economy and efficiency of the Government and the private sector by improving Federal information policymaking, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That this Act may be cited as the "Paperwork Reduction Act  
4       of 1980".

5       SEC. 2. (a) Title 44 of the United States Code is amend-  
6       ed by striking out chapter 35 and inserting in its place the  
7       following new chapter:

1       **"CHAPTER 35—COORDINATION OF FEDERAL**  
2                               **INFORMATION POLICY**

"Sec.

"3501. Purpose.

"3502. Definitions.

"3503. Office of Federal Information Policy.

"3504. Authority and functions of Director.

"3505. Assignment of tasks and deadlines.

"3506. Federal agency responsibilities.

"3507. Public information collection activities—submission to Director; approval and delegation.

"3508. Determination of necessity for information; hearing.

"3509. Designation of central collection agency.

"3510. Cooperation of agencies in making information available.

"3511. Establishment and operation of Federal Information Locator System.

"3512. Penalty for failure to furnish information.

"3513. Director review of agency activities; reporting; agency response.

"3514. Responsiveness to Congress.

"3515. Administrative powers.

"3516. Rules and regulations.

"3517. Consultation with other agencies and the public.

"3518. Effect on existing laws and regulations.

"3519. Access to information.

"3520. Authorization of appropriations.

3   **"§ 3501. Purpose**

4        "It is the purpose of this chapter to ensure that—

5                "(1) Federal information policies and practices  
6       shall be coordinated and integrated with each other  
7       and shall be uniform, as far as practicable, throughout  
8       the Federal Government;

9                "(2) information needed by agencies shall be ob-  
10      tained with a minimum burden upon persons and enti-  
11      ties required to furnish the information, and obtained,  
12      used, and disseminated at a minimum cost to the Gov-  
13      ernment;

14               "(3) information collected and tabulated by an  
15      agency shall, as far as practicable, be maintained in a

1 manner to maximize the usefulness of the information  
2 to Congress, agencies, and the public;

3 “(4) the collection, maintenance, use, and dissemi-  
4 nation of personal information by agencies shall be  
5 consistent with the Privacy Act of 1974 and other ap-  
6 plicable laws; and

7 “(5) automatic data processing and telecommuni-  
8 cations technology shall be acquired and used in a  
9 manner which improves service delivery and program  
10 management, increases productivity, reduces waste and  
11 fraud, and, where possible, reduces the information  
12 processing burden on the public and private sectors.

13 **“§ 3502. Definitions**

14 “As used in this chapter, the term—

15 “(1) ‘agency’ means any executive department,  
16 military department, Government corporation, Govern-  
17 ment controlled corporation, or other establishment in  
18 the executive branch of the Government (including the  
19 Executive Office of the President), or any independent  
20 regulatory agency; but does not include the General  
21 Accounting Office or the governments of the District of  
22 Columbia and of the territories and possessions of the  
23 United States, and their various subdivisions;

24 “(2) ‘collection of information’ means the obtain-  
25 ing or soliciting of facts or opinions for any purpose by

1 an agency by the use of written report forms, applica-  
2 tion forms, schedules, questionnaires, reporting or rec-  
3 ordkeeping requirements, or other similar methods call-  
4 ing for either—

5 “(A) answers to identical questions posed to,  
6 or identical reporting or recordkeeping require-  
7 ments imposed on, ten or more persons; or

8 “(B) answers to questions posed to agencies  
9 or instrumentalities of the United States which  
10 are to be used for general statistical purposes;

11 “(3) ‘data element’ means a distinct piece of infor-  
12 mation such as a name, term, abbreviation, or symbol;

13 “(4) ‘data element dictionary’ means a system  
14 containing standard and uniform definitions and cross  
15 references for commonly used data elements;

16 “(5) ‘data profile’ means a synopsis of the ques-  
17 tions contained in an information collection request,  
18 and also such related items as the official name of the  
19 request, the location of information obtained through  
20 such request, a description of any compilations, analy-  
21 ses, or reports derived from such information, the  
22 agency responsible for such request, the authorizing  
23 statute, and other information necessary to identify,  
24 access, and use the data contained in such information;

1           “(6) ‘Director’ means the Director of the Office of  
2           Management and Budget;

3           “(7) ‘directory of information resources’ means a  
4           catalog of information collection requests, containing a  
5           data profile for each request;

6           “(8) ‘independent regulatory agency’ means the  
7           Board of Governors of the Federal Reserve System,  
8           the Civil Aeronautics Board, the Commodity Futures  
9           Trading Commission, the Consumer Product Safety  
10          Commission, the Federal Communications Commission,  
11          the Federal Deposit Insurance Corporation, the Feder-  
12          al Election Commission, the Federal Energy Regula-  
13          tory Commission, the Federal Home Loan Bank  
14          Board, the Federal Maritime Commission, the Federal  
15          Trade Commission, the Interstate Commerce Commis-  
16          sion, the Mine Enforcement Safety and Health Review  
17          Commission, the National Labor Relations Board, the  
18          Nuclear Regulatory Commission, the Occupational  
19          Safety and Health Review Commission, the Postal  
20          Rate Commission, and the Securities and Exchange  
21          Commission, and other similar agencies designated by  
22          statute as independent regulatory establishments of the  
23          Federal Government;

24          “(9) ‘information collection request’ means a writ-  
25          ten report form, application form, schedule, question-

1        naire, or other reporting or recordkeeping requirement  
2        for the collection of information;

3            “(10) ‘information referral service’ means the  
4        function that assists officials and citizens in obtaining  
5        access to the Federal Information Locator System;

6        “(11) ‘person’ means an individual, partnership,  
7        association, corporation, business trust, or legal repre-  
8        sentative, an organized group of individuals, a State,  
9        territorial, or local government or branch thereof, or a  
10       political subdivision of a State, territory, or local gov-  
11       ernment or a branch of a political subdivision;

12        “(12) ‘recordkeeping requirement’ means a re-  
13       quirement imposed by an agency on persons to main-  
14       tain specified records.

15       **“§ 3503. Office of Federal Information Policy**

16        “(a) There is established in the Office of Management  
17       and Budget an office to be known as the Office of Federal  
18       Information Policy.

19        “(b) There shall be at the head of the Office an Adminis-  
20       trator who shall be appointed by, and who shall report direct-  
21       ly to, the Director. The Director shall delegate to the Admin-  
22       istrator the authority and responsibility to administer all  
23       functions under this chapter. The Administrator shall serve  
24       as principal adviser to the Director on Federal information  
25       policy.

1   **"§ 3504. Authority and functions of Director**

2       “(a) The Director shall provide overall direction in the  
3   development and implementation of Federal information poli-  
4   cies, principles, standards, and guidelines, including review  
5   and approval of information collection requests, the reduction  
6   of the paperwork burden placed on the public, Federal statis-  
7   tical activities, records management activities, privacy of rec-  
8   ords pertaining to individuals, interagency sharing of infor-  
9   mation, and acquisition and use of automatic data processing  
10   and other technology for managing information resources.

11       “(b) The general information policy functions of the Di-  
12   rector shall include—

13           “(1) developing and establishing uniform informa-  
14   tion resources management policies and overseeing the  
15   development of information management principles,  
16   standards, and guidelines and promoting their use;

17           “(2) initiating and reviewing proposals for changes  
18   in legislation, regulations, and agency procedures to  
19   improve information practices, and informing the Presi-  
20   dent and the Congress on the progress made in effect-  
21   ing such changes;

22           “(3) coordinating, through the review of budget  
23   proposals and otherwise, agency information practices;

24           “(4) promoting, through the use of the Federal  
25   Information Locator System and the review of budget

1 proposals, and otherwise, greater agency sharing of in-  
2 formation (consistent with the Privacy Act of 1974 (5  
3 U.S.C. 552a) and other applicable laws) to enhance the  
4 usefulness of the information and limit the reporting  
5 burden on the public;

6 “(5) evaluating the agencies’ information practices  
7 to determine their adequacy, efficiency, and compliance  
8 with policies, principles, standards, and guidelines pro-  
9 mulgated by the Director; and

10 “(6) overseeing the planning of, and the conduct  
11 of research with respect to, Federal information collec-  
12 tion, processing, storage, transmission, and use.

13 “(c) The information collection request clearance and  
14 other paperwork functions of the Director shall include—

15 “(1) reviewing and approving information collec-  
16 tion requests proposed by agencies;

17 “(2) determining whether the collection of infor-  
18 mation by an agency is necessary for the proper per-  
19 formance of the functions of the agency and has practi-  
20 cal utility for the agency;

21 “(3) designating, in accordance with section 3509,  
22 a collection agency to obtain information for two or  
23 more agencies;

24 “(4) setting goals for reductions of the numbers  
25 and burdens of Federal information collection requests;



1           “(5) overseeing action on the recommendations of  
2           the Commission on Federal Paperwork; and

3           “(6) designing and operating the Federal Informa-  
4           tion Locator System in accordance with section 3511.

5           “(d) The statistical policy and coordination functions of  
6           the Director shall include—

7           “(1) developing, in conjunction with the agencies,  
8           long range plans for the improved performance of Fed-  
9           eral statistical activities and programs;

10           “(2) coordinating, through the review of budget  
11           proposals and otherwise, the functions of the Govern-  
12           ment with respect to gathering, interpreting, and dis-  
13           seminating statistics and statistical information;

14           “(3) overseeing the establishment of Government-  
15           wide policies, principles, standards, and guidelines cov-  
16           ering statistical collection procedures and methods, sta-  
17           tistical data classifications, and statistical information  
18           presentation and dissemination; and

19           “(4) evaluating statistical program performance  
20           and agencies' compliance with Government-wide poli-  
21           cies, principles, standards, and guidelines.

22           “(e) The records management functions of the Director  
23           shall include—

24           “(1) providing advice and assistance to the Ad-  
25           ministrator of General Services to promote coordina-

1       tion in the administration of chapters 21, 29, 31, and  
2       33 of this title with the information policies, principles,  
3       standards, and guidelines established under this chap-  
4       ter;

5               “(2) reviewing compliance by Federal agencies  
6       with the requirements of chapters 21, 29, 31, and 33  
7       of this title and with regulations promulgated by the  
8       Administrator of General Services thereunder; and

9               “(3) coordinating records management policies  
10      and programs with related information programs such  
11      as information collection, statistics, automatic data  
12      processing and telecommunications, and similar activi-  
13      ties.

14      “(f) The privacy functions of the Director shall in-  
15      clude—

16              “(1) overseeing the development of and promul-  
17      gating policies, principles, standards, and guidelines on  
18      information disclosure and confidentiality, and on safe-  
19      guarding the security of information collected or main-  
20      tained by agencies, or in conjunction with Federal pro-  
21      grams;

22              “(2) providing agencies with advice and guidance  
23      about information security, restriction, exchange, and  
24      disclosure; and

1           “(3) monitoring compliance with the Privacy Act  
2           of 1974 (5 U.S.C. 552a) and related information man-  
3           agement laws.

4           “(g) The automatic data processing and telecommunica-  
5           tions functions of the Director shall include—

6           “(1) establishing policies, principles, standards,  
7           and guidelines for automatic data processing and tele-  
8           communications functions and activities, and overseeing  
9           the establishment of standards under section 111(f) of  
10          the Federal Property and Administrative Services Act  
11          of 1949 (40 U.S.C. 759(f));

12          “(2) monitoring the effectiveness of, and compli-  
13          ance with, directives issued pursuant to sections 110  
14          and 111 of the Federal Property and Administrative  
15          Services Act of 1949 (40 U.S.C. 757, 759) and re-  
16          viewing proposed determinations under section 111(g)  
17          of such Act;

18          “(3) providing, in coordination with the Adminis-  
19          trator of General Services, advice and guidance on the  
20          acquisition and use of automatic data processing and  
21          telecommunications equipment, and coordinating,  
22          through the review of budget proposals and otherwise,  
23          agency proposals for acquisition and use of such equip-  
24          ment; and

1           “(4) promoting the use of automatic data process-  
2           ing and telecommunications equipment to improve the  
3           effectiveness of the use and dissemination of data in  
4           the operation of Federal programs; and

5           “(5) initiating and reviewing proposals for changes  
6           in legislation, regulations, and agency procedures to  
7           improve automatic data processing and telecommunica-  
8           tions practices, and informing the President and the  
9           Congress of the progress made in effecting such  
10          changes.

11          “(h) Other functions of the Director shall include ensur-  
12          ing that, in developing rules and regulations, agencies—

13               “(1) utilize efficient methods to collect, use, and  
14               disseminate necessary information;

15               “(2) provide an early and substantial opportunity  
16               for the public to comment on proposed means of col-  
17               lecting information related to such rules and regula-  
18               tions; and

19               “(3) make assessments of the consequences of al-  
20               ternative methods of implementing the statutory goals  
21               of such rules and regulations (including alternative  
22               methods of collecting information).

23          “(i) In any review of regulations by the Director author-  
24          ized by law, the Director shall consider the relationship of

1 such regulations to the policies, principles, standards, and  
2 guidelines established under this chapter.

3 **“§ 3505. Assignment of tasks and deadlines**

4 “In carrying out the authority and functions assigned by  
5 this chapter, the Director shall—

6 “(1) within one year after the date of enactment  
7 of the Paperwork Reduction Act of 1980—

8 “(A) establish standards and requirements for  
9 agency audits of all major information systems,  
10 assign the responsibility for conducting such  
11 audits, and assign the responsibility for conducting  
12 Government-wide or multiagency audits;

13 “(B) establish the Federal Information Loca-  
14 tor System;

15 “(C) identify areas of duplication in informa-  
16 tion collection requests and develop a schedule  
17 and methods for eliminating the duplication;

18 “(D) develop a proposal to augment the Fed-  
19 eral Information Locator System to include data  
20 profiles of major information holdings of agencies  
21 (used in the conduct of their operations) which are  
22 not otherwise required by this chapter to be in-  
23 cluded in the System; and

24 “(E) develop, in consultation with the Ad-  
25 ministrator of General Services, a five-year plan

1 for meeting the automatic data processing and  
2 telecommunications needs of the Federal Govern-  
3 ment in accordance with the requirements of sec-  
4 tion 111 of the Federal Property and Administra-  
5 tive Services Act of 1949 (40 U.S.C. 759) and  
6 the purposes of the Paperwork Reduction Act of  
7 1980; and

8 “(2) within two years after such date of enact-  
9 ment—

10 “(A) establish a schedule and a management  
11 control system (including policies, principles,  
12 standards, and guidelines) to ensure that practices  
13 and programs of the various information handling  
14 disciplines, such as records management, are ap-  
15 propriately integrated with each other, and with  
16 the broad information policies established by this  
17 chapter;

18 “(B) identify initiatives which may achieve  
19 substantial productivity improvement in Federal  
20 operations using information processing technol-  
21 ogy;

22 “(C) develop a program to (i) enforce Federal  
23 information processing standards, particularly lan-  
24 guage standards, at all Federal installations; and  
25 (ii) revitalize the standards development program,

1 separating it from peripheral technical assistance  
2 functions and directing it to the most productive  
3 areas;

4 “(D) complete action on recommendations of  
5 the Commission on Federal Paperwork, including  
6 development of legislation necessary to implement  
7 such recommendations; and

8 “(E) submit to the President and the Con-  
9 gress legislative proposals to remove inconsisten-  
10 cies in laws and practices involving privacy, confi-  
11 dentiality, and disclosure of information;

12 **“§ 3506. Federal agency responsibilities**

13 “(a) Each agency shall be responsible for carrying out  
14 its information management activities in an efficient, effec-  
15 tive, and economical manner, and for complying with the in-  
16 formation policies, principles, standards, and guidelines pre-  
17 scribed by the Director.

18 “(b) The head of each agency shall designate, within  
19 three months of the date of enactment of the Paperwork Re-  
20 duction Act of 1980, a senior official who reports directly to  
21 such agency head to carry out the responsibilities of the  
22 agency under this chapter.

23 “(c) Each agency shall—

24 “(1) systematically inventory its major information  
25 systems and periodically review its information man-

1       agement activities, including planning, budgeting, orga-  
2       nizing, directing, training, promoting, controlling, and  
3       other managerial activities involving the collection,  
4       use, and dissemination of information;

5               “(2) take steps to ensure that its information sys-  
6       tems do not overlap each other or duplicate those of  
7       other agencies;

8               “(3) develop procedures for assessing the paper-  
9       work and reporting burden of its information collection  
10      activities and of proposed legislation and regulations  
11      related to such agency; and

12              “(4) assign to the official designated under subsec-  
13      tion (b) the responsibility for the conduct of and ac-  
14      countability for any acquisitions made pursuant to a  
15      delegation of authority under section 111 of the Feder-  
16      al Property and Administrative Services Act of 1949  
17      (40 U.S.C. 759).

18              “(d) The head of each agency shall establish such proce-  
19      dures as he may deem necessary to ensure the compliance of  
20      his agency with the requirements of the Federal Information  
21      Locator System, including necessary screening and compli-  
22      ance activities.



1   **"§ 3507. Public information collection activities—submis-**  
2                   **sion to Director; approval and delegation**

3           “(a) An agency shall not conduct or sponsor the collec-  
4   tion of information unless, in advance of adoption or revision  
5   of the request for collection of such information—

6           “(1) the agency has taken appropriate steps, in-  
7   cluding consultation with the Director (A) to eliminate  
8   information collections which seek to obtain informa-  
9   tion available from another source within the Federal  
10   Government (through the use of the Federal Informa-  
11   tion Locator System and other means), (B) to reduce  
12   the compliance burden on respondents, and (C) to for-  
13   mulate plans for tabulating the information in a manner  
14   which will enhance its usefulness to other agencies and  
15   to the public;

16           “(2) the agency has submitted to the Director the  
17   proposed information collection request, copies of perti-  
18   nent regulations and of other related materials as the  
19   Director may specify, and an explanation of measures  
20   taken to satisfy paragraph (1) of this section, and has  
21   caused a notice of such submission to be published in  
22   the Federal Register; and

23           “(3) the Director has approved the proposed infor-  
24   mation collection request, or sufficient time has elapsed  
25   as provided under subsection (c).

1       “(b) Any disapproval, in whole or in part, under subsec-  
2       tion (a) of a proposed information collection request of an  
3       independent regulatory agency may be voided if the agency,  
4       by a majority vote of its members, overrides the Director’s  
5       decision.

6       “(c) The Director shall, within sixty days of receipt of a  
7       proposed information collection request, notify the agency in-  
8       volved of his decision to approve or disapprove the request. If  
9       the Director determines that a request submitted for review  
10      cannot be reviewed within sixty days, he may, after notice to  
11      the agency involved, extend the review period for an addi-  
12      tional thirty days. If the Director does not notify the agency  
13      of an extension, denial, or approval within sixty days (or, if  
14      he has extended the review period for an additional thirty  
15      days and does not notify the agency of a denial or approval  
16      within the time of the extension), his approval may be in-  
17      ferred and the agency may collect the information for not  
18      more than two years.

19      “(d) No approval of an information collection request  
20      shall be valid for a period of more than three years.

21      “(e) If the Director finds that a senior official designated  
22      pursuant to section 3506(b) has independence from any pro-  
23      gram responsibility and has sufficient resources to evaluate  
24      whether proposed information collection requests should be  
25      approved, the Director may, by rule subject to the notice and

1 comment provisions of chapter 5 of title 5, delegate to such  
2 official his power to approve proposed requests in specific  
3 program areas, for specific purposes, or for all agency pur-  
4 poses. Such delegation shall not preclude the Director from  
5 reviewing individual information collection requests if the Di-  
6 rector determines that circumstances warrant such a review.  
7 The Director shall retain authority to revoke such delega-  
8 tions of power, both in general and with regard to any specif-  
9 ic matter. In acting for the Director, any official to whom  
10 approval powers have been delegated shall comply fully with  
11 the rules and regulations promulgated by the Director.

12       “(f) No agency shall be exempt from the requirements of  
13 this chapter.

14       **“§ 3508. Determination of necessity for information; hear-**  
15                               **ing**

16       “Before approving a proposed information collection re-  
17 quest, the Director shall determine whether the collection of  
18 information by an agency is necessary for the proper per-  
19 formance of the functions of the agency and has practical  
20 utility for the agency. Before making a determination the Di-  
21 rector may give the agency and other interested persons an  
22 opportunity to be heard or to submit statements in writing.  
23 To the extent, if any, that the Director determines that the  
24 collection of information by an agency is unnecessary, for any

1 reason, the agency may not engage in the collection of the  
2 information.

3 **“§ 3509. Designation of central collection agency**

4       “The Director may designate a collection agency to  
5 obtain information for two or more agencies if the Director is  
6 of the opinion that the needs of such agencies for information  
7 will be adequately served by a single collection agency, and  
8 such sharing of data does not conflict with section 3510 of  
9 this chapter, section 552 or 552a of title 5, or any other  
10 applicable law. In such cases, the Director shall prescribe  
11 (with reference to the collection of information) the duties and  
12 functions of the collection agency so designated and of the  
13 agencies for which it is to act as agent (including reimburse-  
14 ment for costs). While the designation is in effect, an agency  
15 covered by it may not obtain for itself information which it is  
16 the duty of the collection agency to obtain. The Director may  
17 modify the designation from time to time as circumstances  
18 require.

19 **“§ 3510. Cooperation of agencies in making information**  
20 **available**

21       “(a) Subject to subsection (b), the Director may, if not  
22 inconsistent with any applicable law, direct an agency to  
23 make available to another agency information obtained pur-  
24 suant to an information collection request.

1       “(b) The Director may direct the disclosure of confiden-  
2       tial information from one agency to another if —

3               “(1) it is disclosed in the form of statistical totals  
4       or summaries;

5               “(2) the person who supplied the information con-  
6       sents to such a disclosure; or

7               “(3) the receiving agency has authority to collect  
8       the information, and such authority is supported by  
9       legal provisions for civil or criminal penalties against  
10      persons failing to supply the information.

11      “(c) If confidential information obtained by an agency is  
12      released by that agency to another agency, all the provisions  
13      of law (including penalties which relate to the unlawful dis-  
14      closure of information) apply to the officers and employees of  
15      the agency to which information is released to the same  
16      extent and in the same manner as the provisions apply to the  
17      officers and employees of the agency which originally ob-  
18      tained the information. The officers and employees of the  
19      agency to which the information is released, in addition, shall  
20      be subject to the same provisions of law, including penalties,  
21      relating to the unlawful disclosure of information as if the  
22      information had been collected directly by that agency.

23      “(d) For purposes of this section only, confidential infor-  
24      mation is information which the agency could withhold from  
25      the public under section 552 of title 5 or would be barred

1 from disclosing to another agency under section 552a of such  
2 title.

3 **"§ 3511. Establishment and operation of Federal Informa-**  
4 **tion Locator System**

5       “(a) There is hereby established in the Office of Federal  
6 Information Policy a Federal Information Locator System  
7 (hereinafter in this section referred to as the ‘System’) com-  
8 posed of a directory of information resources, a data element  
9 dictionary, and an information referral service. The System  
10 shall serve as the authoritative register of all information col-  
11 lection requests.

12       “(b) In designing and operating the System, the Direc-  
13 tor shall—

14               “(1) design and operate an indexing system for  
15 the System;

16               “(2) promulgate rules requiring the head of each  
17 agency to prepare in a form specified by the Director,  
18 and to submit to the Director for inclusion in the  
19 System, a data profile for each information collection  
20 request of such agency;

21               “(3) compare data profiles for proposed informa-  
22 tion collection requests against existing profiles in the  
23 System, and make available the results of such com-  
24 parison to—

1           “(A) agency officials who are planning new  
2           information collection activities; and

3           “(B) on request, members of the general  
4           public; and

5           “(5) ensure that no actual data, except descriptive  
6           data profiles necessary to identify duplicative data or  
7           to locate information, are contained within the System.

8   **“§ 3512. Penalty for failure to furnish information**

9           “Notwithstanding any other provision of law, no person  
10          shall be subject to any penalty for failing to provide informa-  
11          tion to any agency if the information collection request in-  
12          volved was made after December 31, 1981, in violation of  
13          section 3507.

14   **“§ 3513. Director review of agency activities; reporting;**  
15                 **agency response**

16          “(a) The Director shall, with the advice and assistance  
17          of the Administrator of General Services, review, at least  
18          once every three years, by means of selective inspections, the  
19          information management activities of each agency to ascer-  
20          tain their adequacy and efficiency. In evaluating the adequa-  
21          cy and efficiency of these activities, the Director shall pay  
22          particular attention to whether the agency has complied with  
23          section 3506.

24          “(b) The Director shall report the results of the inspec-  
25          tions to the appropriate agency head, the House Committee

1 on Government Operations, the Senate Committee on Gov-  
2 ernmental Affairs, the House and Senate Committees on Ap-  
3 propriations, and committees of the Congress having jurisdic-  
4 tion over legislation relating to the operations of the agency  
5 involved.

6       “(c) Each agency which receives a report pursuant to  
7 subsection (b) shall, within sixty days thereafter, prepare and  
8 submit to the Director, the House Committee on Govern-  
9 ment Operations, the Senate Committee on Governmental  
10 Affairs, the House and Senate Committees on Appropri-  
11 ations, and the committees of the Congress having jurisdic-  
12 tion over legislation relating to its operations, a written state-  
13 ment describing any measures taken to alleviate or remove  
14 any problems or deficiencies identified in such report.

15 **“§ 3514. Responsiveness to Congress**

16       “(a) The Director shall keep the Congress and its com-  
17 mittees fully and currently informed of the major activities  
18 under this chapter, and shall submit a report thereon to the  
19 President of the Senate and the Speaker of the House of  
20 Representatives annually and at such other times as may be  
21 necessary for this purpose. The Director shall include in such  
22 reports—

23               “(1) proposals for legislative changes needed to  
24 improve Federal information management, including,  
25 with respect to information collection, recommenda-



1        tions to ease the burden upon individuals and small or-  
2        ganizations;

3            “(2) a compilation of legislative impediments to  
4        the collection of information which the Director con-  
5        cludes that an agency needs but does not have author-  
6        ity to collect;

7            “(3) an analysis by agency, and by such other  
8        categories as he may deem useful, describing the com-  
9        pliance burden of information collection requests of  
10       agencies on persons outside the Federal Government,  
11       as well as the costs to agencies;

12           “(4) a summary of accomplishments to reduce the  
13       burden of complying with Federal information collec-  
14       tion requests by such means as reducing the time, cost,  
15       complexity, and incomprehensibility of Federal paper-  
16       work;

17           “(5) a tabulation of areas of duplication in agency  
18       information collection requests identified during the  
19       preceding year and any designations of central collec-  
20       tion agencies made to preclude the collection of dupli-  
21       cate information;

22           “(6) a list of all violations of provisions of this  
23       chapter and rules, regulations, guidelines, policies, and  
24       procedures issued pursuant to this chapter; and

1           “(7) with respect to recommendations of the Com-  
2 mission on Federal Paperwork—

3           “(A) the specific actions taken on each rec-  
4 ommendation which has been completely imple-  
5 mented;

6           “(B) the major actions still required to imple-  
7 ment each remaining recommendation and the  
8 target date for completing each such action;

9           “(C) a detailed assessment of the status of  
10 and progress on each such action; and

11           “(D) an explanation of any delays and ac-  
12 tions required to overcome these delays.

13           “(b) The preparation of these reports shall not increase  
14 the burden on persons outside the Federal Government of  
15 responding to mandatory requests for information.

16   **“§ 3515. Administrative powers**

17           “(a) Upon the request of the Director, each agency  
18 (other than an independent regulatory agency) shall make its  
19 services, personnel, and facilities available to the Director for  
20 the performance of functions under this chapter.

21           “(b) Upon the request of the Director, each agency  
22 shall, except when prohibited by law, furnish to the Director  
23 and give him access to all information in its possession which  
24 the Director may determine to be necessary for the perform-  
25 ance of functions under this chapter.

1 **"§ 3516. Rules and regulations**

2 "The Director shall promulgate rules and regulations  
3 necessary to exercise the authority provided by this chapter.

4 **"§ 3517. Consultation with other agencies and the public**

5 "In the development of information policies, rules, regu-  
6 lations, procedures, and forms, the Director shall, from the  
7 beginning of each initiative, consult with persons outside the  
8 Federal Government and the agencies affected.

9 **"§ 3518. Effect on existing laws and regulations**

10 "The authority of an agency under any other law to  
11 prescribe policies, rules, regulations, procedures, and forms  
12 for Federal information activities is subject to the authority  
13 conferred on the Director by this chapter.

14 **"§ 3519. Access to information**

15 "The Director and personnel in the Office of Federal  
16 Information Policy shall furnish such information as the  
17 Comptroller General may require for the discharge of his re-  
18 sponsibilities. For this purpose, the Comptroller General or  
19 his representatives shall have access to all books, documents,  
20 papers, and records of that Office."

21 **"§ 3520. Authorization of appropriations**

22 "There are hereby authorized to be appropriated to  
23 carry out the provisions of this chapter, and for no other  
24 purpose—

1           “(1) not to exceed \$8,000,000 for the fiscal year  
2           ending September 30, 1981;

3           “(2) not to exceed \$8,500,000 for the fiscal year  
4           ending September 30, 1982;

5           “(3) not to exceed \$9,000,000 for the fiscal year  
6           ending September 30, 1983.”.

7           (b) The table of chapters of title 44, United States Code,  
8           is amended by striking out

          “35. Coordination of Federal Reporting Services.”

9           and inserting in lieu thereof

          “35. Coordination of Federal Information Policy.”.

10          (c)(1) Section 2904 of title 44, United States Code, is  
11          amended by striking out paragraph (10) and inserting in lieu  
12          thereof the following:

13               “(10) report to the appropriate oversight and ap-  
14               propriations committees of the Congress and to the Di-  
15               rector of the Office of Management and Budget annual-  
16               ly and at such other times as he deems desirable (A)  
17               on the results of inspections and studies conducted pur-  
18               suant to paragraphs (1) through (9) of this section, (B)  
19               on evaluations of responses by Federal agencies to any  
20               recommendations resulting from such inspections or  
21               studies, and (C) on estimates of lost benefits or savings  
22               resulting from the failure of agencies to implement  
23               such recommendations.”.

1       (2) Section 2905 of title 44, United States Code, is  
2 amended by redesignating the text thereof as subsection (a)  
3 and by adding at the end of such section the following new  
4 subsection:

5       “(b) The Administrator of General Services shall assist  
6 the Administrator of the Office of Federal Information Policy  
7 in conducting studies and developing standards relating to  
8 record retention requirements imposed on the public and on  
9 State and local governments by Federal agencies.”.

10       SEC. 3. (a) The President and the Director of the Office  
11 of Management and Budget shall delegate to the Administra-  
12 tor for Federal Information Policy all their functions, authori-  
13 ty, and responsibility under section 103 of the Budget and  
14 Accounting Procedures Act of 1950 (31 U.S.C. 18b).

15       (b) The Director of the Office of Management and  
16 Budget shall delegate to the Administrator for Federal Infor-  
17 mation Policy all functions, authority, and responsibility of  
18 the Director under section 552a of title 5 and under sections  
19 110 and 111 of the Federal Property and Administrative  
20 Services Act of 1949 (40 U.S.C. 757, 759).

21       SEC. 4. (a) Section 400A of the General Educational  
22 Provisions Act (20 U.S.C. 1221-3) is repealed.

23       (b) Section 201 of the Surface Mining Control and Rec-  
24 lamation Act of 1977 (30 U.S.C. 1211) is amended by strik-  
25 ing out subsection (e).

1       (c) Subsection (f) of section 708 of the Public Health  
2 Service Act (42 U.S.C. 292h(f)) is repealed.

3       (d) Section 5315 of title 5, United States Code, is  
4 amended by adding at the end thereof the following:

5               "Administrator, Office of Federal Information  
6 Policy, Office of Management and Budget.".

7       SEC. 5. This Act shall take effect on October 1, 1980.

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